

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

XO Illinois, Inc.	)	
	)	
vs.	)	ICC Docket No. 01-0843
	)	
AT&T Communications of Illinois, Inc.	)	
and AT&T Corporation.	)	
	)	
In the Matter of a Complaint	)	
Pursuant to 220 ILCS 5/13-515	)	

**XO ILLINOIS, INC.’s MOTION TO DISMISS WITH PREJUDICE**

Now comes XO Illinois, Inc. (“XO”) by its attorneys, and pursuant to 83 Ill. Admin. Code 200.190, moves to dismiss with prejudice the complaint initiating this proceeding. In support of this motion, XO states as follows:

1. On December 26, 2001, XO initiated this proceeding by filing a complaint pursuant to Section 220 ILCS 5/13-515, Section 13-515 of the Illinois Public Utilities Act (“PUA”) against AT&T Communications of Illinois, Inc, and AT&T Corporation (collectively “AT&T”).
2. XO and AT&T have resolved all issues raised in the complaint.
3. XO and AT&T agree to equally split costs incurred and assessed, if any, by the Illinois Commerce Commission in this docket.

WHEREFORE for the reasons stated above, XO Illinois, Inc. moves the Commission to dismiss with prejudice the complaint filed on December 26, 2001 initiating this proceeding.

Dated: February 15, 2002

Respectfully submitted,  
XO ILLINOIS, INC.

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**NOTICE OF FILING**

**PLEASE TAKE NOTICE** that on this 15th day of February, 2002, I have filed with the Chief Clerk of the Illinois Commerce Commission, the Motion to Dismiss with Prejudice of XO Illinois, Inc., a copy of which is served upon you.

By: \_\_\_\_\_  
Stephen J. Moore

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a copy of the Motion to Dismiss with Prejudice of XO Illinois, Inc. has been served upon the service list in this proceeding by electronic mail on February 15, 2002.

By: \_\_\_\_\_  
Stephen J. Moore

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